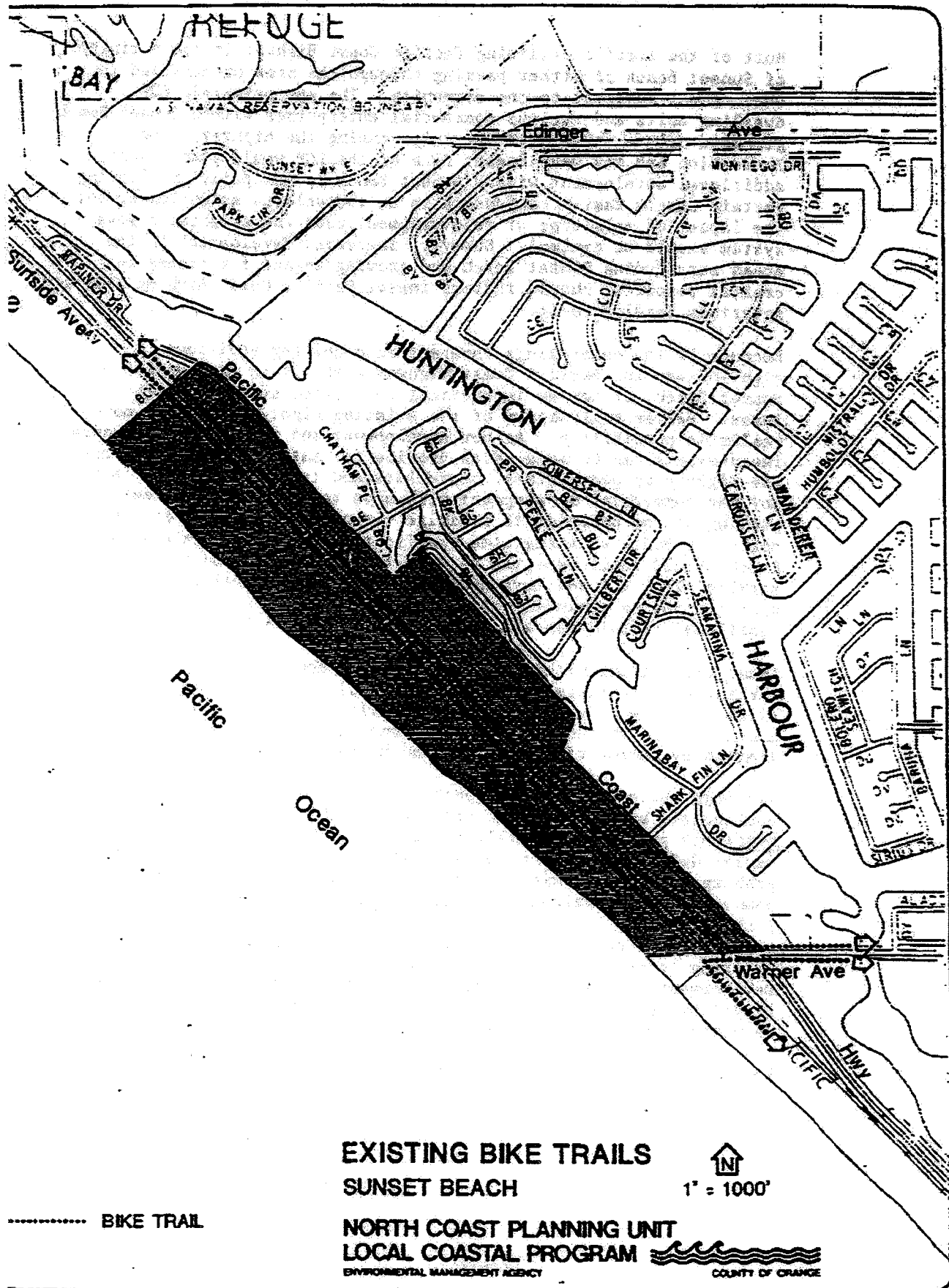


Figure 6



Not
 necessary
 in SP

Figure 7

Most of the traffic utilizing Pacific Coast Highway in the vicinity of Sunset Beach is either passing through the area or destined to development adjacent to the community. The approximately 600 dwelling units and various commercial enterprises within Sunset Beach generate only a portion of the trips using the Highway. The Recreation and New Development Plan of the LCP would permit some additional development within Sunset Beach, principally by allowing certain single family residences to be redeveloped as duplexes; but the impact of this type of redevelopment upon the arterial highway system should be minimal. However, increased development in the areas surrounding Sunset Beach and growing demand for access to coastal resources should further impact Pacific Coast Highway and the arterials leading to it.

Because of the constraints inherent in acquiring additional right-of-way for Pacific Coast Highway both within and outside of Sunset Beach, it may be impractical to provide additional travel lanes. Better utilization of the existing right-of-way is a more realistic possibility. As new development and redevelopment occurs, improvements can be made which provide for safe and convenient use of the Highway by pedestrians, bicyclists and transit vehicles. Also, any new commercial development will have to provide off-street parking and be designed to minimize the number of direct access points to PCH. An integrated traffic signal system within Sunset Beach should facilitate the flow of traffic. Expanded transit service along PCH and throughout the area to be provided as demand warrants and as financial resources become available should encourage additional transit use and might somewhat reduce traffic along PCH.

In SP
Section 2.3
Circulation,
pp. 18-19

Local circulation within the Sunset Beach community is tied to parking opportunities and traffic control. Traffic patterns seaward of PCH revolve around the parking facility located between North and South Pacific Avenues. Traffic movements on other streets are limited by narrow rights-of-way and heavy on-street parking.

Although there are adequate parking spaces available to meet public, commercial, and residential parking demand, the distribution of available parking negatively affects the supply-demand balance which causes deficiencies to occur in certain areas. To alleviate the problem existing parking opportunities need to be retained with the community and maximized wherever possible. Adequate off-street parking will be required in conjunction with all new development or redevelopment of properties. Specific policies and guidelines relating to parking are included in the Recreation and New Development Component of this LCP. Increase transit service and bicycling opportunities should provide access to beach uses without requiring such additional parking.

Local circulation and traffic safety will be enhanced by the

retention of both the 15 miles per hour speed limit on all Sunset Beach streets, except Pacific Coast Highway and the parking restrictions on North and South Pacific Avenues. Also, conversion of Bay View Drive to one-way operation will be evaluated as a means to improve circulation inland of PCH.

SECTION 7-9-125.1. Required street and highway dedication and improvements normally required per the Orange County Zoning Code and not applicable to the SBSP/LCP area except for those properties abutting Pacific Coast Highway. However, street and highway dedication for 4th through 26th Streets shall conform to the Typical Section for those streets (see Figure 8).

In SP
Section 2.3
Circulation,
pp. 19-20

D. POLICIES

1. Implement the arterial highway system as defined by the Orange County Master Plan of Arterial Highways.

City GP Policy
CE 1.1.1 and
City LCP
Implementation
Program I-C 9

2. Encourage utilization of public transit.

City LCP Objective C 2.3,
City GP Objective CE 3.1

3. Increase pedestrian and bicycle opportunities.

City LCP Policies C 2.2.1 and C 2.2.2
City GP Policies CE 6.1.5 and CE 6.1.6

4. Encourage new development which facilitates transit service, provides for non-automobile circulation and minimizes vehicle miles traveled.

City GP
Objective 3.2
and City LCP
Policy C 2.2.2

Arterial Highways (Orange County General Plan)

5. Arterial highways shall be designed to reasonably accommodate all viable modes of transportation.

City GP Goal CE 6
and City LCP
Implementation
Program I-C 9

6. The arterial highway system shall be consistent with the adopted goals, policies and general land uses of the General Plans of the County and cities.

City GP Policies CE
1.1.1 and CE 1.1.3
and City LCP
Implementation
Program I-C 9

7. Arterial highways shall provide for the highway mobility needs generated by the various types of existing and proposed land uses within Orange County as well as an appropriate share of regionally generated need.

City GP Goals
CE 1 and CE 2
and City LCP
Objective C 2.1

8. Connections shall be established between arterial highways and existing and proposed freeways to provide access to all areas.

City GP Policy
CE 1.1.1 and City LCP
Implementation Program
I-C 9

9. Access to arterial highways shall be controlled so as not to impair the function of the arterial highway system.

City GP Policy CE
2.3.2 and City LCP
Implementation
Program I-C 9

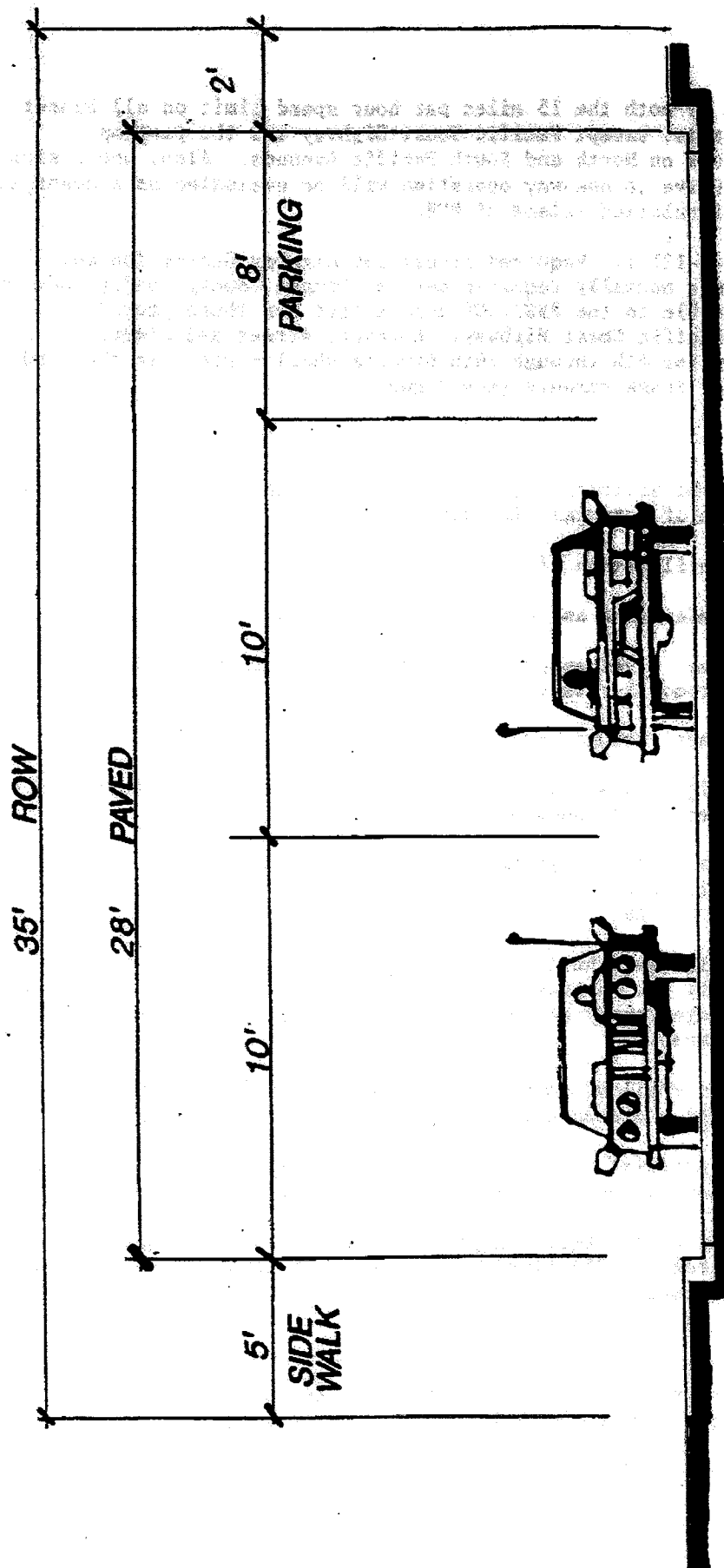
10. The extension of arterial highways into open space, conservation and other environmentally sensitive areas shall be limited to the level needed for public health, safety and welfare.

City LCP
Policy C 7.2.5

Public Transit

11. Orange County Transit District shall be encouraged to provide expanded bus service as demand warrants and as financial resources

City GP Policy CE
3.1.2 and City
LCP Policies
C 2.3.1, C 2.3.2,
and C 2.3.3



TYPICAL SECTION
4TH THROUGH 26TH STREETS
SUNSET BEACH SPECIFIC PLAN
LOCAL COASTAL PROGRAM
 ENVIRONMENTAL MANAGEMENT AGENCY
 COUNTY OF ORANGE

In SP Section 2.3.
 Exhibit 2.4, pg. 21

Figure 8

become available.

Trails

12. Trails for bicyclists and pedestrians shall be implemented in conjunction with new development and redevelopment. Where feasible, all local bikeways shall connect with the county-wide bikeway system.

City GP Policy CE 6.1.6 and City LCP Policies C 1.1.5, C 2.2.2, C 2.2.5, and C 2.2.7

Sunset Beach

13. Future planning of Pacific Coast highway shall take into consideration upgrading of the highway to provide better transit; bicycle and pedestrian opportunities; coordinate traffic signals; optimize traffic flow; and construct a landscape median.

City GP Policy CE 1.1.2 and City LCP Policies C 2.2.3, C 2.2.5 and C 2.3.3

14. As new development and redevelopment occurs, off-street parking shall be provided which meets the requirements of the proposed development guidelines, included in the Recreation and New Development Component.

In SP Section 3.3.4 Parking Requirements, pg. 43

15. The present 15 miles per hour speed limit shall be retained and vigorously enforced, on all streets within Sunset Beach, except Pacific Coast Highway.

Modified, In SP Section 2.3 Circulation, pg. 19

16. All existing on-street parking shall be retained within Sunset Beach and maximized wherever possible. There shall be no parking on North and South Pacific, except in front of driveways by permit only.

In SP Section 2.3 Circulation, pp. 19-20

17. The feasibility of converting Bay View Drive, west of Broadway, to one-way westbound circulation shall be evaluated.

E. AIR QUALITY

1. Coastal Act Policies

The Coastal Act defines planning and management policies for coastal resources. These policies are grouped into six categories: Public access, recreation, marine environment, land resources, development and industrial development and industrial development. Policy relating to air quality is found in the development section. Section 30253 states that: new development shall be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.

Coastal Act in City LCP; not necessary in Specific Plan

2. Existing Conditions

In order to assess the air quality in the region, the California Air Resources Board (CARB) has established fourteen (14) air basins in the state. These basins define areas having a similar meteorological and geographical conditions and existing political boundaries wherever practical.

General Air Quality background; not necessary in Specific Plan

Sunset Beach lies within the South Coast Air Basin (SCAB), which includes all of Orange County and portions of Los Angeles, San Bernardino, and Riverside Counties. The basin is bounded on the west by the Ventura County line and on the north by the San Gabriel, San Bernardino, San Geronimo, and San Jacinto Mountains. These ranges form a chain separating the South Coast Climatic Zone from the Great Basin Valleys and the Southeast Desert.

The community has a Mediterranean-type climate with warm summers and mild winters. Cool breezes blow through the valleys (offshore in the mornings and onshore in the evenings) throughout the year. The ocean's moderating influence limits the daily temperature range. An average of twelve to fourteen inches of rain are received annually. Air quality in the community unit is a function of meteorological factors, primary and secondary pollutants and regional ambient air quality.

Description of general air quality climate conditions in City GP; not necessary in SP

Currently, there are no major point sources of air pollution located in the Sunset Beach. Ambient air quality data is given in terms of State and Federal standards adopted to protect public health with a margin of safety. In addition to ambient standards, California has adopted Episode Criteria for oxidant, carbon monoxide (CO) and sulfur dioxide (SO₂). The Episode levels represent short-term exposures at which public health is actually threatened.

In general, the prevailing daytime wind movement from the ocean carries pollution easterly from its origin toward the Elsinore convergence zone, where it is uplifted to become part of the pollution problem that exists in general in the South Coast Air Basin.

3. Air Quality Management Plan

The California Air Resources Board has determined that the entire South Coast Air Basin is a nonattainment area for oxidant, CO, NO₂, and Total Suspended Particulates (TSP) (Air Quality Management Plan 1979). The nonattainment status implies that the oxidant, CO, NO₂, and TSP are in violation of the primary National Ambient Air Quality Standards. As a result of the SCAQMD and the Southern California Association of Governments (SCAG) have jointly prepared an Air Quality Management Plan (AQMP) for meeting the federal air quality standards. In March of 1989, a second revision to the original plan was submitted to SCAQMD for review. When approval is ultimately obtained, the plan becomes the South Coast Air Basin (SCAB) portion of the State Implementation Plan (SIP).

General AQMD discussion in City GP; not necessary in SP

IV. ACCESS COMPONENT

A. INTRODUCTION

Historically, the shoreline has been recognized as a valuable resource to be shared by all people. The doctrine that tidelands are held in public trust is embodied in the Commerce Clause of the United States Constitution and has been interpreted by courts as giving the public the right to use the nation's navigable waters. In California, the State Constitution guarantees the public right to coastal access as stated in Article X, Section 4:

State code
reference
not
necessary
in Specific
Plan

No individual, partnership, or corporation claiming or processing the frontage or tidal lands of a harbor, bay inlet, estuary, or other navigable water whenever it is required for any public purpose . . . and the legislature shall enact such law as well as give the most liberal construction to this state shall always be attainable for the people thereof.

1. Coastal Initiative/California Coastal Act

The Coastal Act contains policies that require that development shall not interfere with public right of access when acquired through use or legislative authorization. The Coastal Act also requires that new development projects between the sea and nearest public road provide public access unless: (1) access is inconsistent with public safety, military security needs or protection of coastal resources, (2) adequate access exists nearby, or (3) agriculture would be affected adversely. The legislature further declared that the basic goals of the state for the coastal zone are to:

- Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners (Sec. 30001.5.c).
- In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse (Sec. 30210).
- Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area (Sec. 30212.5).

Coastal Act
regulations
already
included in
City LCP and
City LCP
Goal 2

- Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred (Sec. 30213).

City LCP
Policies
C 3.2.1 and
C 3.2.2

- The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:

(1) Topographic and geologic site characteristics.

(2) The capacity of the site to sustain use and at what level of intensity.

(3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.

(4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter (Sec. 30214a(1)(2)(3)(4)).

Coastal Act
regulations
already
included in
City LCP
and
City LCP
Goal C 2

- Is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers equities and that balances the rights to the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution (Sec. 30214(b)).

- In carrying out the public access policies of this article, the commission, regional commissions, and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs (Sec. 30214(c)).

- The use of private lands suitable for visitor-serving commercial/recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial developments, but not over agriculture or coastal-dependent industry (Sec. 30222).

City LCP Policy
C 1.1.3

- Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible (Sec. 30223).

City LCP
Policy
C 3.1.3

- Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated development or at selected points of attraction for visitors (amended by California Stats. 1979, Ch. 1090) (Sec. 30250.c).
- The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high-intensity uses such as high-rise office buildings, and (6) assuring that the recreational needs of new residents will not overload nearby coastal recreational areas by correlating the amount of development plans with the provision of on-site recreational facilities to serve the new development (Sec. 30252).
- Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development (Sec. 30253.3).
- Minimize energy consumption and vehicle miles traveled (Sec. 30253.4).

Coastal Act regulations already included in City LCP and City LCP Goal C 2

B. COASTAL ACCESS PROGRAM

Legislation adopted in 1979 (AB 989-Kapiloff) transferred responsibility for preparation of a comprehensive access program from the State Department of Parks and Recreation to the Coastal Commission and the Coastal Conservancy. This program requires coordination among local, state and federal agencies responsible for purchase, development and maintenance of public coastal accessways, and calls for maximum public access opportunities. The new coastal access program legislation also mandates preparation of an inventory of all existing coastal access points, a list of access dedications not yet accepted by public agencies, provision of information on whether access is currently available, and what action is necessary to accomplish actual public use. In addition, both the Commission and Conservancy are directed to prepare standards for accessway location and development.

Describes past State legislation, not necessary in Specific Plan

C. DEFINITIONS

- Lateral Accessways: Lateral Accessways represent areas of land that provide public access along the water's edge. Lateral accessways should be used for public pass and repass, passive recreational use, or as otherwise found appropriate in a certified local Coastal Plan.

City LCP Policy C 2.6.2

- **Vertical Accessways:** Vertical Accessways represent areas of land that provide a connection between the first public road, trail, or use area nearest the sea and the publicly owned tidelands or established lateral accessway. A vertical accessway should be used for public pass and repass, passive recreational use, or as otherwise found appropriate in a certified Local Coastal Plan.

City LCP
Policy
C 2.6.2

- **Upland Trails:** Upland trails represent areas of land that provide public access along a shore-front bluff or along the coast inland from the shoreline. An upland trail also can provide access from the first public road nearest the sea to a scenic overlook or to another upland trail paralleling the shoreline. An upland trail should be used for public pass and repass, passive recreational use, viewing the ocean and shoreline, or as otherwise found appropriate in a certified Local Coastal Program.

Not
necessary
in Specific
Plan as
regulations
do not
reference
Upland
Trails

- **Scenic Overlooks:** Scenic Overlooks represent areas of land that provide the public a unique or unusual view of the coast.

City LCP Glossary

- **Coastal Bikeways:** A Coastal Bikeway is a facility specifically designated to provide access to and along the coast by bicycle trails as classified in Section 2373 of the Streets and Highways code. A Class I Bikeway (Bike Path or Bike Trail) provides a completely separate right-of-way designated for the exclusive use of bicycles and pedestrians with cross-flows by motorists minimized. A Class II Bikeway (Bike Lane) provides a restricted right-of-way in the established paved area of highways designated for the exclusive or semi-exclusive use of bicycles with through-travel by motor vehicles or pedestrians prohibited but with vehicle parking and cross-flows by pedestrians and motorists permitted. A Class III Bikeway (Bike Route) provides a right-of-way designated by signs or permanent markings and shared with pedestrians or motorists used primarily to provide a continuous link between Class I and Class II Bikeways.

Described in
GP
Circulation
Element pg.
III- CE-5 and
LCP pg. IV-
C-54

- **Hostels:** Hostels are low-cost public travel accommodations providing sex-segregated sleeping in dormitory-type rooms with kitchen and bath facilities for the recreational traveler. Based on the European model, hostels provide the basic function of low-cost overnight lodging in a climate conducive to social and cultural interchange for the traveler. Maximum stay generally is three nights.

Not
necessary in
SP as
regulations
do not
reference
these items

- **Support Facilities:** Support Facilities are those facilities that provide ease of public use and maintenance of coastal accessways. Such facilities include signs, trash receptacles, public telephones, rest rooms, showers, and parking areas.

D. COUNTY-WIDE RECREATIONAL NEEDS

1. Overview

The Orange County Recreational Needs and Regional Parks Study were undertaken to determine recreational needs throughout Orange

County study
reference, not
needed in SP

County. This Study specifically estimated demand for particular recreational activities and public facilities available at three particular times (1977, 1985, 1995) to satisfy such demand. Degree of surplus or deficiency of public facilities was projected based upon this information. Specific definitions for the scale used in the analysis are as follows:

Major Surplus - 200+ percent of the demand allocated can be accommodated.

Moderate Surplus - Between 110 percent and 199 percent of the demand allocated can be accommodated.

Approximate Balance - Between 90 percent and 109 percent of the demand allocated can be accommodated.

Moderate Deficiency - Between 50 percent and 89 percent of the demand allocated can be accommodated.

Major Deficiency - Less than 50 percent of the demand allocated can be accommodate.

County study
reference, not
needed in SP

It was determined that 1977 capacity exceeded demand for the following activities: fishing, pool, swimming, hiking, outdoor games and park visitation. Activities that held major deficiencies during 1977 (and would become progressively worse) were the following: surfing, bicycling, tennis, jogging, skateboarding and picnicking. Activities that had a moderate or major surplus but were to develop deficiencies by 1995 were the following: ocean/lake/river swimming, horseback riding and beach visitation. (See Tables 1, 2, and 3.)

E. SUNSET BEACH COASTAL ACCESS

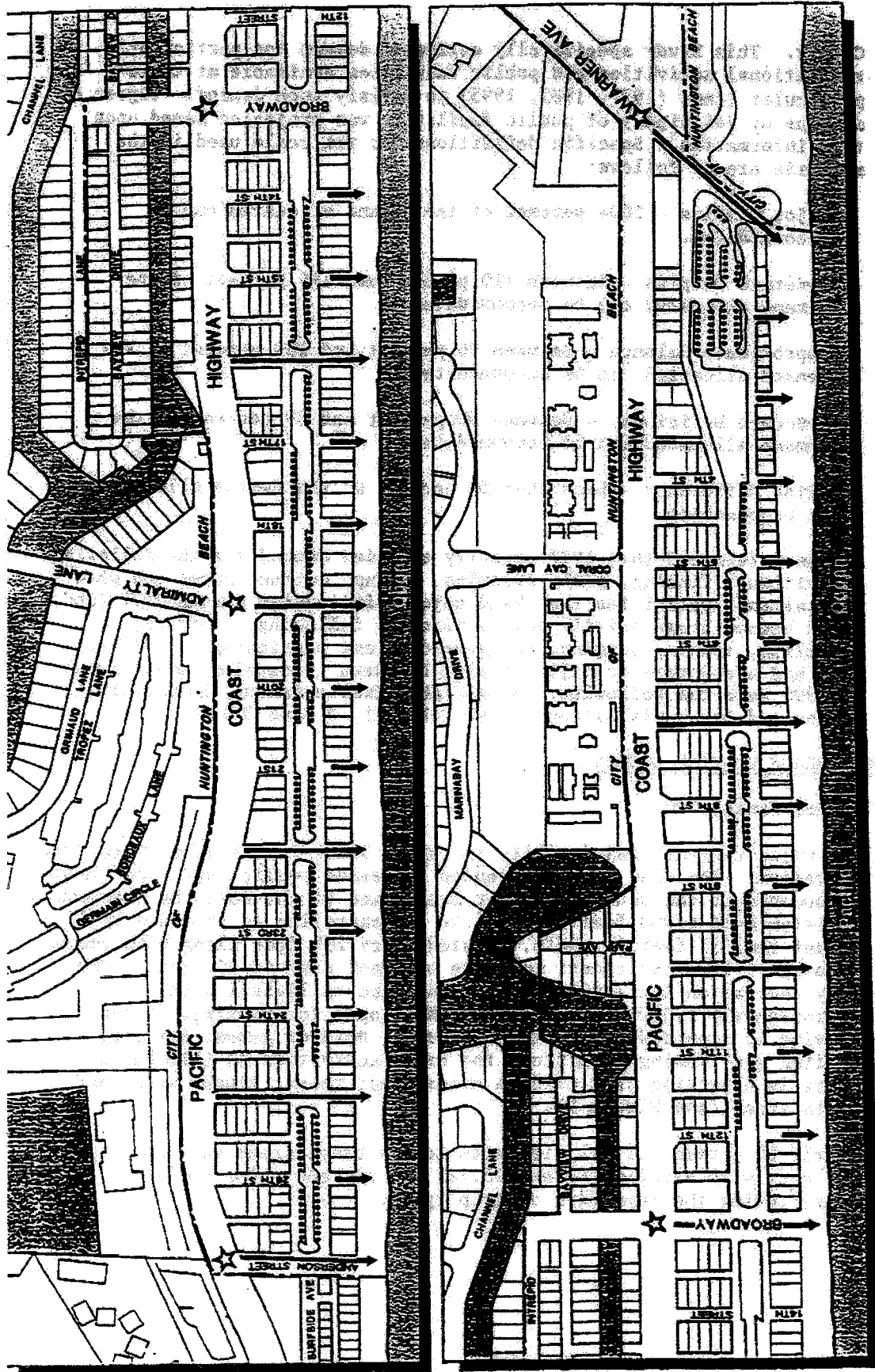
1. Access Protection

The major recreational facility in Sunset Beach is its sandy beach and shoreline. The area has experienced increased public use. The beach is bounded on the south by Warner Avenue and on the North by Anderson, a distance of 6,300 feet. Access to the shoreline is provided by 27 street-end, 35 feet in width, located every 200 feet along with beach frontage. The most recent estimate of beach size is 30 acres. The only recreation facilities on the beach are volleyball nets. Approximately 1,500 feet of the beach is open for surfing. Lifeguard service is provided on a seasonal basis. Outdoor games, swimming, surfing and fishing constitute the major activities at this beach. There is a parking area of five acres, rest rooms, linear walk, and grass areas (see Figure 9).

In SP Section
2.1 Existing
Conditions,
pg. 8

Nearly 80 percent of all visits to County beach areas were one-day outings, with vacation trips (13.7%) and weekend trips (6.5%) constituting the remainder of trip types.

Old County-wide
statistics, not
needed in
SP



EXISTING ACCESS

SUNSET BEACH
Specific Plan and
Local Coastal Program
NORTH COAST PLANNING UNIT
LOCAL COASTAL PROGRAM
ENVIRONMENTAL MANAGEMENT AGENCY



In SP Section
2.2, Exhibit 2.3,
pg. 16

Public Parking



Access Points



Traffic Signal



Figure 9

2. Demand for Shoreline Access

The demand for access to Orange County beaches is high ;and is anticipated to increase. The participants in beach activities include out-of-County residents as well as County residents. Orange residences accounted for 56 percent of beach users. In contrast, Los Angeles, San Bernardino, Riverside, and San Diego County residents comprise 36 percent of beach users. Out-of-state users account for 8 percent.

Old County-wide statistics, not needed in SP

The Orange County Recreation Needs and Regional Parks Study states that a surplus of beach facilities in the North Coast Planning Unit currently exists but will be deficient by 1985;. The study further states that the real limitation on beach visitation is not the extent of the resources but accessibility to the resources. Shortages of parking, limited public transit accessibility and heavy congestion on Pacific Coast Highway and other access routes exists which may deter some persons from visiting the beach. Consequently the participation rate for beach visitation measured may be low.

F. POLICIES

Recreational Open Space

1. To determine requirements; plan or assist in the planning for, and assume management responsibility when appropriate for open space areas used for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lake shores, beaches, and rivers and streams; and areas which serve as links between major recreation and open space reservations, including utility easements, greenbelts, banks of rivers and streams, trails and scenic highways corridors.

City GP Goal
RCS 2;
Policies
RCS 6.1.1
and
RCS 3.1.3 and City
LCP Policies C
3.1.1, C 3.2.1, C
3.2.13, C 4.1.1, C
4.1.2, C 4.1.3, C
4.2.3, C 4.4.1, and
C 5.1.2

Scenic Highway/Open Space Linkage

2. The scenic highway should be linked, when possible, to regional parks, trails, wildlife areas and historical sites, greenbelts and other recreation open space areas without being detrimental to them.
3. To protect irreplaceable beaches and coastal bluffs from development and natural erosional processes, to provide for the replenishment of beach sands, and to strive for increased public control and access to the beaches and the coastline.

City GP Policies
RCS 1.1.2, RCS
2.1.2, RCS 2.1.5,
Objective CE 7.2,
and City LCP
Implementation
Program I-C 14

City LCP
Policies
C 10.1.6,
C 10.1.7,
C 4.4.1,
C 4.4.2,
C 4.4.3, and
Goal C2

Overnight Tourist Facilities

4. To require that facilities accommodating overnight tourists are permanent structures.

Not carried forward
in SP

Tourist Recreation/Commercial

5. To encourage multi-use developments combining Tourist Recreation/Commercial uses and any others which achieve the intent of this designation.

The City's Mixed Use Overlay allows this

TR/C Access

6. To provide for maximum public access to the amenities afforded by the site.

City LCP Goal C2

TR/C Site Design

7. To arrange buildings, structures and man-made improvements so that scenic aspects of the TR/C site are available for public enjoyment.

City LCP Policies C 1.2.2 and C 4.1.1

TR/C Site Alteration

8. To conserve natural features of the TR/C site through use of site alterations and grading that enhance the natural scenic and recreational features of the site.

Bikeways-Transportation

9. To provide a county-wide transportation network of bikeways to recreation areas and other destination points of significance throughout the County.
10. To develop recreationally pleasant bikeways to the beaches adjacent to the cities of Seal Beach, Huntington Beach, Newport Beach, Laguna Beach and San Clemente.

City GP Goal C 6 and City LCP Policies C 2.2.5 and C 2.2.7

Bikeways-Recreation

11. To provide a county-wide recreation-oriented network of bikeways that would link and traverse recreation and open space areas.

TC/C Beach

12. The County of Orange shall take all steps necessary to protect and to defend the public's constitutionally granted rights of access to and along the the shoreline.
13. Public facilities (e.g., parking facilities, rest rooms and bicycle trails) shall not be located directly on the dry sandy beach. Necessary facilities (e.g., lifeguard towers and volleyball nets) are excluded from this restriction.
14. The existing beach and sand areas shall be preserved and protected.

City LCP Goal C 2

City LCP Policy C 3.1.1 does not allow parking

City GP Objectives ERC 4.1, RCS 6.1 and City LCP Policies C 3.1.1 and C 3.1.2

15. Groins, retaining walls and other construction that may alter the natural shoreline processes, unless designed to eliminate or mitigate adverse impacts on local shoreline sand supply, shall be prohibited.

City LCP
Policy C
6.1.24

16. There shall be no roadway, bike path, hiking trail, or parking facility on the beach.

In SP Section 3.3.3
Public Facilities,
pg. 38

17. There shall be no advertising of any nature.

18. Beach from property line to mean high-tide line shall be properly maintained and routinely cleaned.

City LCP
Implementation
Program I-C 6

19. The Development Guidelines contain specific conditions for the protection of access.

In SP Section 3.3.3
Public Facilities,
pg. 37

V. RECREATION AND NEW DEVELOPMENT COMPONENT

A. INTRODUCTION

This Component designates a "Land Use Plan" that provides for the development of new facilities and the upgrading and/or eradication of certain existing facilities within Sunset Beach. Policies are provided that intend to guide the realization of the Plan. The maps and policies establish parameters for evaluating future development proposals within this coastal planning area and set forth measures that the County should enact to achieve the degree of resource protection, transportation and public access provision and land use implementation emphasize within the California Coastal Act of 1976.

Introduction Paragraph, not necessary in SP

The "Recreation and New Development" Plan has been prepared to aid in the realization of goals as stated in Section 30001.5 of the Coastal Act. Those goals are as follows:

1. Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural land man-made resources.
2. Assure orderly, balance utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.
3. Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with the sound resources conservation principles and constitutionally protected rights of private property owners.
4. Assure priority for coastal-dependent development over other development on the coast.
5. Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

City LCP
Goal C 1

City LCP
Objectives C
2.5, C 2.7, and
C 3.1

City LCP Policy C 1.1.2

City LCP
Implementation
Program I-C 12

Furthermore, the Sunset Beach Local Coastal Program defines land uses and the accompanying extent of those uses to be developed on site. As such, it is consistent with the intent and specifications stipulated by the following Coastal Resources Planning and Management Policies as contained in Chapter 3 of California Coastal Act:

Identifies
Coastal Act
Sections,
not
necessary
in SP

Policy Section 30210-30213 (Public Access)
30220-30224 (Recreation)
30230-30236 (Marine Environment)
30240-30244 (Land Resources)
30250-30255 (Development)

B. SUNSET BEACH LAND USE PLAN

1. Introduction

This component establishes and designates areas of residential and commercial development that will not impair coastal resources or public access to the coast. Additionally, it sets maximum desirable densities and intensity for these land uses.

In SP Section
2 Land Use
Plan, pg. 8

The Land Use Plan is the culmination of the previous components. Policies are provided to guide the realization of the Land Use Plan. The Land Use Map (see Figure 10) and Development Guidelines establish standards for evaluating future development.

The goal of the Land Use Plan is to maintain and enhance the special character of Sunset Beach. The preservation of the unique character of the area is the fundamental goal.

2. Existing Visitor Serving/Commercial Recreational Facilities

Coastal Act policies regarding recreation and visitor-serving facilities require distribution of public facilities, including parking and rest areas, throughout the County's coastal area in order to eliminate crowding and overuse of any single area; the protection, encouragement and provision of lower cost visitor facilities; the protection of ocean-front areas for coastal recreation; the granting of priority of projects with commercial recreational facilities over other uses; the reservation of any upland areas necessary to support coastal recreational uses; and the location of visitor-serving facilities, public and private, that provide accommodations and food and services for tourists; commercial-recreational facilities serve recreational needs but are operated for private profits.

Coastal Act
regulations
already
included in
City LCP

The Coastal Act's Visitor and Recreational Facilities Policies are contained in Public Resources Code Section 30213:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

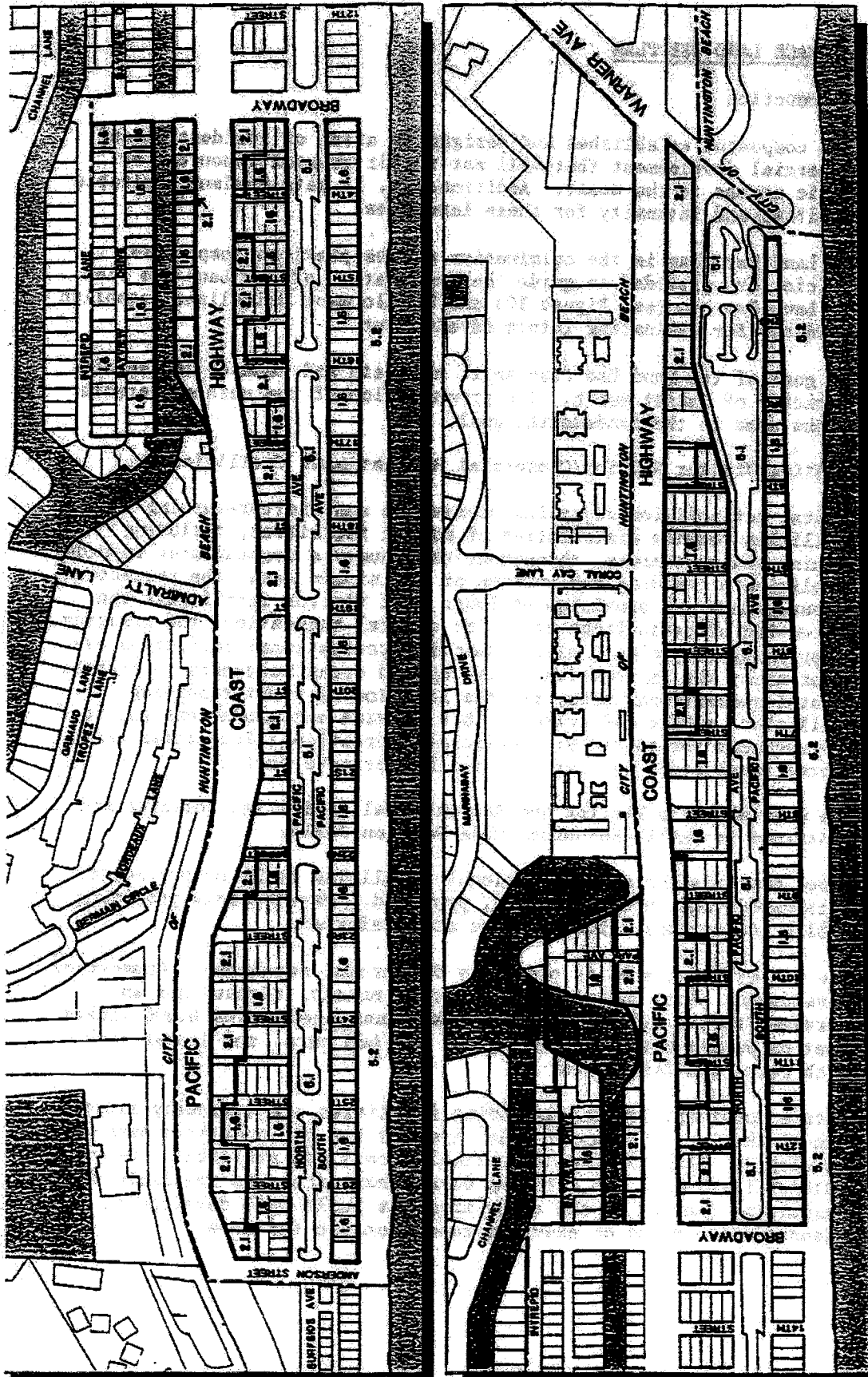
City LCP
Policy C
3.2.2

The Sunset Beach area is presently 96 percent developed. Commercial development along PCH provides numerous motels, restaurants and services to the visiting public. The County maintains 6,300 linear feet of public beach, a parking lot for 660 cars, and linear park with rest-room facilities.

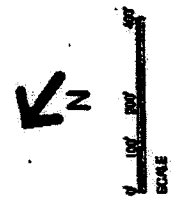
In SP
Section 2.1
Existing
Conditions,
pp. 8-9

Future opportunities for expanding facilities are extremely limited due to the fact the Sunset Beach area is for all practical purposes, developed. Therefore no new suitable areas are available. Only intensification of the existing development areas is available for maximizing these. As the study area is built-out, development standards are based on existing conditions in the area.

Built out
nature in-SP
Section 2.1;
other
language not
necessary



LAND USE MAP
SUNSET BEACH
Specific Plan and
Local Coastal Program
NORTH COAST PLANNING UNIT
LOCAL COASTAL PROGRAM



In SP Section 2.2,
 Exhibit 2.1, pg. 12

5.1	Other Open Space
5.2	Recreation

1.6	High Density Residential
2.1	Tourist/Recreation/Commercial

Figure 10

3. Housing Component

New housing in the coastal zone shall be developed in conformity with the standards, policies, and goals of local housing elements adopted in accordance with the requirements of subdivision (c) of Section 65302 of the Government Code.

The Board of Supervisors adopted an amended Housing Element in June, 1986. The Housing Element includes a Housing Opportunities Program which is intended to alleviate housing shortages by increasing "the production of housing units affordable to households in a broad range of income levels." The County is pursuing this goal through both mandatory and voluntary components discussed in the Element."

Within this context, County policy to require and/or encourage a portion of new units to be affordable does not deviate from the objective of maintaining present community character in sunset Beach. The Sunset Beach specific Plan reinforces the intent and guidelines of the Orange County Housing Element through policies which ensure compliance with all provisions of the Housing Element as amended and encourages development of affordable Housing element in effect at the time a project is to be approved.

Discussion of Housing Element not needed in SP. Requirement for new development to comply with City's Affordable Housing Requirements in SP Section 2.2 Land Use, pg. 17

4. Beach Erosion, Shoreline Structures, Boating Facilities

Beach Erosion

The Sunset Beach shoreline is subject to severe erosion (see discussion in the Resources Component). The Corps of Engineers has an ongoing program of sand replacement to mitigate this process. Therefore, beach stability is primarily dependent upon human factors and not nature. If the beach nourishment program in effect in 1984 is halted or delayed, beach erosion that threatens homes in Sunset Beach should be anticipated. This erosion, if it continues long enough, will expose homes to wave attack as well as to flooding.

General discussion in SP Section 2.1, pg. 9, and Section 2.4, pg. 22

Shoreline Structures

Special design consideration must be given to development along the shoreline because ocean-water creates a flooding problem.

Design guidelines for residential development along the coast are established in Chapter Four (4) of the coastal Flood Plain Development Study as amended. These guidelines are based on the assumption that the beach will be artificially maintained with a width of at least 150 feet from the ocean-facing private property line. Flowing water is the only design consideration. Should the beach retreat to less than width, the possibility of storm erosion and breaking wave activity at the structures may occur and flood protection as regulated by these design guides will not provide protection from wave impact forces. Revised design guidelines must then be modified to reflect the circumstances.

In SP Section 2.4 Flooding and Shoreline Structures, pg. 22

Rationale for Design of Structures

Flood damage occurs at times of abnormally high tides when waves overtop the berm and water flows toward the houses. Flood damage resulting from this process, called over-wash, can be reduced by raising the living area of the homes above the level of flowing water. The Coastal Flood Plain Development Study requires that a new structure be raised to a specific height above a point on South Pacific Avenue.

In SP
Section 2.4
Flooding and
Shoreline
Structures,
pg. 22

In addition to providing protection against flood damage, the requirement to build on piling along South Pacific Avenue provides a safety margin should conditions at Sunset Beach return to the way they were in the 1930s when homes were vulnerable to attack by waves. Homes on shallow footings can be rapidly damaged or destroyed if their sand support is lost to erosion.

Existing lawful nonconforming residential uses may be severely impacted by the Coastal Flood Plain Development Study and will require special consideration.

Boating Facilities

There are no publicly maintained boating facilities within the study area. However, private docks are available in the SBW District adjacent to commercial and residential properties subject to the permit process.

In SP Section
2.1 Existing
Conditions,
pg. 8

There are no public boat launch sites in Sunset Channel with the exception that the nontrailerable boats which can be hand-carried may be launched at the 11th Street Beach. The publicly owned Sunset Channel has been privately bulkheaded and the streets and alleys, where they abut the channel, were bulkheaded by the County; limited facilities are provided.

In SP
Section 2.4
Flooding and
Shoreline
Structures,
pg. 22

C. SUNSET BEACH LAND USE PLAN POLICIES

1. The existing visitor-serving/commercial-recreational facilities have been identified for preservation in the Land Use Plan.
2. The existing pattern of visitor-serving/commercial-recreational facilities shall be retained and intensified where consistent with development guidelines.
3. All new development shall conform to the Orange County Housing Element.
4. The County shall cooperate with the United States Army Corps of Engineers regarding all sand replacement activities.

In SP
Section 2.2
Land Use,
pp. 10 and
17

Not necessary in
SP

In SP Section 2.2
Land Use, pg. 13

D. SUNSET BEACH LAND USE PLAN DEVELOPMENT GUIDELINES

The development guidelines are designed to implement the Land use Plan, specifically, to carry out the intent of the Coastal Act consistent with the desires of the community.

The guidelines consist of the Land use map (see figure 10) and the following text:

1. BEACH AND SAND AREA

1-1 Existing beach and sand areas shall be maintained in their present form:

1.1.1 to preserve the unique public recreational character of Sunset Beach, "5.2" Recreation shall be defined as passive and active recreation which is in conformance with the development guidelines of the Sunset Beach LUP.

1.1.2 in cooperation with the State Department of Fish and Game, to protect and preserve the natural habitat of spawning grunion, pismo clam and other shellfish beds, porpoise feeding and sporting grounds, feeding grounds for the California brown pelican, grebes, cormorants, terns, gulls and all other natural sea life and waterfowl.

1.1.3 to protect beachfront residences and maintain both public and private open ocean view and access.

1.2 To meet the foregoing objectives (section 1.1 above):

1.2.1 Dredging and sand replenishment shall be scheduled during fall and winter months to reduce conflict with sunning, swimming and other shoreline water activities.

1.2.2 Sand replenishment shall be deposited at the northwest end of the beach in the area contiguous to the U.S. Navy Ammunition & Net Depot harbor groin, the point of primary and maximum erosion. From that point sand shall be distributed southeastward down the beach by natural wave and current action. This will avoid the destruction of natural marine life habitat. At the same time it will preserve the recreational character of the beach and the fine grain and cleanliness characteristic of alluvial ocean sands. Sand shall not be pumped directly on the beach within Sunset Beach except in response to immediate danger to residences.

1.2.3 No government or private agency shall construct or cause to be constructed any structure including but

In SP
Section 2.2
Land Use,
pp. 13-14

not limited to jetties, groins, berms, etc., that may alter natural shoreline processes such as wave action, channel depths or general beach configuration except when such protective structures are required for existing structures or public beaches in danger from erosion.

1.2.4 Permanent above-ground structures on the beach and sand areas shall be prohibited.

1.2.5 To fulfill visitor serving needs, to minimize personal injuries and to reduce County liability, sanitation shall be maintained by properly and routinely cleaning and maintaining the beach and sand area from ocean edge to the artificial dune. The protective growth barrier shall be maintained by property owners.

1.3 To protect residences and the Sunset Beach sanitary system from flood waters and excess wind-driven sand, to preserve that sand in the beach area thereby reducing replenishment costs, and to enhance the appearance of the benefit of visitors, preservation of the artificial dune by residences shall be retained and encouraged, in keeping with Orange County Board of Supervisors Resolution Nos. 80-188 and 80-1057.

1.4 Access

1.4.1 The twenty-seven (27) existing public access points to the beach shall be retained in perpetuity.

1.4.2 Signs denoting the Public Beach shall be installed at the signalized intersections of Anderson Street/Broadway Avenue and Warner Avenue along Pacific Coast Highway. Signs shall not exceed four (4) square feet.

2. INLAND WATERWAYS

2.1 For greater use by the general public, all channels and public waterways in existence as of February 2, 1965, on which date, by Resolution 65-112, the Orange County Board of Supervisors established the channel widths, shall be maintained as public waterways. Location of bulkhead lines and encroachment areas shall be established and no structures shall extend beyond the bulkhead line except for ramps (gangways) and docks.

2.2 Every effort shall be made to protect and preserve existing natural sea life and waterfowl, and to maintain "clean" water.

2.3 To meet visitor-serving needs, the 11th Street public beach

In SP
Section
2.2 Land
Use,
pg. 14

In SP
Section 2.2
Land Use,
pg. 17

shall be retained in its present general configuration, or if reconfigured, shall provide equivalent recreational opportunities and shall be properly maintained.

In SP
Section 2.2
Land Use,
pg. 17

3. TOURIST RECREATION COMMERCIAL

3.1 Because of the small size and special nature of the Sunset Beach community and the limited area for commercial uses, the convenience facilities and goods provided serve the visitors and tourists as well as local residents.

In SP
Section 2.1
Existing
Conditions,
pg. 8

3.2 Typical uses include gift and speciality shop, food and drink establishments, motels and other permanent overnight accommodations, small food markets and drug stores.

3.3 Existing facilities were designated Tourist Recreation Commercial/Uses on the Land Use Map; these shall be retained.

3.4 Should any existing residence presently on property zoned commercial be destroyed by fire, natural disaster, war or act of God, such may be rebuilt as a residence providing it conforms to the provisions of the residential guidelines.

In SP
Section 2.2
Land Use,
pg. 17

3.5 Where commercial uses abut residential property, no balconies, decks or the open areas intended for public use shall be allowed to infringe on adjacent residential property.

4. RESIDENTIAL

4.1 GENERAL PROVISIONS

4.1.1 All legally created residential building sites shall be permitted only two (2) dwelling units per site. New building sites created by a tract map, parcel map, lot consolidation, or any other legal method, are also limited to two (2) dwelling units per building site, except as noted above.

Existing legal building sites shall not be subdivided in a manner that would create more parcels than the original number, except as noted in IV. C. 7.

4.1.2 Low/moderate cost rental units should be replace when redevelopment occurs, per the County Housing Element.

4.1.3 Conversion of multi-unit buildings into condominiums shall be allowed only if the building meets the standards for setback, parking, and density as they are contained in this LCP.

4.1.4 Public services facilities shall be a permitted use in a residential use area.

In SP
Section 2.2
Land Use,
pg. 17,
with
changes to
4.1.1 to
reflect
current
conditions

5. TRANSPORTATION/CIRCULATION/PARKING

5.1 The present 15 MPH speed limit shall be retained, and vigorously enforced, on all streets within Sunset Beach except Pacific Coast Highway.

5.2 Speed limit on Pacific Coast Highway throughout Sunset Beach shall conform with existing timing of signals, and to be in conformity with such speed limit on Pacific Coast highway within the developed portions of adjacent cities of Seal Beach and Huntington Beach.

The County shall request Caltrans to do an engineering and traffic survey to determine the appropriate speed limit on Pacific Coast Highway in Sunset Beach.

5.3 To the maximum extent feasible, to maximize visitor servicing needs and ensure public safety, Pacific Coast Highway shall be striped to provide a safe width for parallel parking.

5.4 Pacific Coast Highway is designated a "scenic highway." To ensure that those scenic characteristics are enhanced, public and private projects shall, wherever feasible, provide landscaping wherever there is adequate space.

5.5 To provide sea access by the Orange County Fire Department onto Pacific Coast Highway, the traffic signal at Broadway Avenue and Pacific Coast Highway shall be wired and connected to the Sunset Beach fire alarm system to ensure traffic control for safe access.

5.6 To minimize existing beach visitor congestion at the Warner Avenue parking lot, North Pacific Avenue between signalized Warner Avenue and 5th Street shall be widened to provide two-way traffic on such widened section.

There shall be no condemnation of private property for such purposes.

5.7 The feasibility of converting local streets west of Broadway, to one-way circulation shall be evaluate.

5.8 All existing on-street parking shall be retained within Sunset Beach and wherever possible establish programs to maximize their use.

5.9 There shall be no parking on North and South Pacific, except in front of driveways by permit only.

5.10 In order to facilitate visitor serving needs, diagonal parking shall be allowed on Anderson Street and Broadway Avenue.

In SP
Section 2.3
Circulation,
pg. 19,
but modified
given that
Caltrans
regulates
Pacific Coast
Highway and
it's not
appropriate in
a zoning
document

In SP
Section 2.3
Circulation,
pg. 20

Not
included;
see note
above
regarding
Caltrans

In SP
Section 2.3
Circulation,
pp. 19-20

- 5.11 All street ends, except for emergency access, opening onto the beach shall be fully developed for public parking prior to any other public parking development.
- 5.12 Innovative programs to maintain the existing parking supply in residential areas and to provide for flexibility for commercial uses shall be encouraged.
- 5.13 Signage and parking control to manage parking supply shall be implemented.
- 5.14 Public transportation is support in the Sunset Beach LCP, however, facilities other than bus stops shall be located adjacent to the area of greatest public need (i.e. Bolsa Chica State Beach or Warner Avenue turnaround). Such facility will mitigate the impacts, social or otherwise, of overcrowding or overuse by the public in the Sunset Beach area.
- 5.15 The County shall undertake a study of previous street dedications for street widening. This study should evaluate the community need of such dedications and develop standards for future dedications or abandonments.

In SP
Section 2.3
Circulation,
pg. 20

Not included.
Not appropriate
to regulate
areas outside of
SP boundary.

Potential street
evaluations
covered by
other guidelines
in SP
Section 2.3

E. SUNSET BEACH LCP ADVISORY COMMITTEE

The Sunset Beach LCP was developed largely through the vigorous efforts of the Community through the LCP Advisory Committee. Subsequent to the LCP's adoption, the Board of Supervisors designated the Sunset Beach LCP Conformity and Violation Review Board (commonly known as the "LCP Board") as the official citizen's review group in Sunset Beach.

The Committee helped identify the community lifestyle and special needs of Sunset Beach. It recognizes the complex needs and limits of planning an area that is 96 percent developed. Coastal Act Policies have been applied with sensitivity to the existing community.

The Sunset Beach LCP Board provides continuing community participation in the long-term process of implementing the provisions of this LCP. Such process does not replace the current mode of community participation, but provides a centralized forum for obtaining community opinion and for transmitting recommendations to the County. The LCP Review Board's specific function and membership is contained in a separate document titled "bylaws of the Sunset Beach LCP Advisory Committee (LCP Board)."

In-SP
Section 4.2
Methods and
Procedures,
pg. 54

LAND USE REGULATIONS

ATTACHMENT NO. 6.64

IV.

LAND USE REGULATIONS

A. FORWARD

The Sunset Beach Land Use Regulations implement the Sunset Beach LCP Local Coastal Plan. The regulations are adopted by ordinance pursuant to Section 65450 of the State Government Code, the County of Orange Zoning Code Section 7-9-156, and Division 20 of the State Public Resource Code.

In SP
Section 1.3
Purpose and
Intent, pg. 4

B. GENERAL PURPOSE AND APPLICATION

1. General Purpose

The Sunset Beach Land Use Regulations are adopted for the purpose of promoting the health, safety and general welfare of the Sunset Beach Community and the County of Orange. More specifically, these regulations are intended to provide the standards, criteria and procedures necessary to achieve the following objectives:

- a. Provide maximum opportunities for community design and site planning, consistent with orderly development and protection of sensitive and natural resources, with a logical and timely sequence of community and government review and input.
- b. Improve the visual image and general aesthetics of Sunset Beach.
- c. Implement the applicable policies of the California Coastal Act and preserve, protect and enhance the coastal Zone resources of particular value to the Sunset Beach Community, County of Orange, and the State of California.
- d. Implement the intent and purpose of the Sunset Beach Local Coastal Program.

In SP
Section 3.3
Purpose,
pg. 26

2. Application

The interpretation and application of the Sunset Beach Land Use Regulations shall be accomplished in accordance with the following provisions:

- a. These land use regulations shall be applied only within the boundaries of the Sunset Beach Specific Plan area.
- b. The Orange County Zoning Code is complementary to the land use regulations of the Sunset Beach Land Use Plan and if any item or issue is not included within the Sunset Beach Land Use Regulations, the Orange County Zoning Code shall prevail. However, the Zoning Code shall not override any provisions of the Sunset Beach Land Use Regulations.

In SP
Section 1.3
Purpose and
Intent, pg. 4

In SP
Section 4.1
Enforcement
of the Specific
Plan, pg. 53

- c. If any portion of these regulations are, for any reason, declared by a court of competent jurisdiction to be invalid or ineffective in whole or in part, such decision shall not affect the validity of the remaining portions thereof. The Board of Supervisors hereby declares that it would have enacted these regulations and each portion thereof, irrespective of the fact that any one or more portions be declared invalid or ineffective.

In SP
Section 4.4
Severability,
pg. 55

- d. For the purpose of carrying out the intent and purpose of these regulations, words, phrases and terms are deemed to have the meanings ascribed to them in Zoning Code Sections 7-9-21 through 7-9-47, unless otherwise provided by these land use regulations.

In SP
Section 4.1
Enforcement
of the Specific
Plan, pg. 53

- e. The official citizen's review group in Sunset Beach has been designated by the Board of Supervisors as the Sunset Beach LCP Review Board.

Not
included.
This
pertains to
the LCP
Board's
rules, which
are not part
of Zoning
regulations

The LCP Board shall assist the residents and property owners who wish to file a complaint of violations of the Orange County Zoning and Building Ordinances, or violation of the Sunset Beach LCP. Any violation reported to Board and deemed by the Board to be valid shall be forwarded to the proper County agency for their action. In all cases the person bringing the report of violations to the LCP Board shall be advised of the procedure to file the complaint directly to EMA.

C. GENERAL PROVISIONS

1. Any conditions, requirements, or standards, indicated graphically or in writing, that are a part of an approved subdivision map, Coastal Development Permit or variance, approved in compliance with these regulations shall have the same force and effect as these regulations. Any use or development established as a result of such approved permit but not in compliance with all approved conditions shall be in violation of the Sunset Beach Land Use Regulations and Orange County Zoning Code.
2. All construction and development within the Sunset Beach Community shall comply with applicable provisions of the Uniform Building Code and other various Mechanical, Electrical, Plumbing and Housing Codes related thereto as well as the Grading Code, Sign Code, and Subdivision Code as currently adopted by the Board of Supervisors.
3. In these land user regulations, for all regulatory areas, when more than one description may apply to a given use, the more specific description shall determine if a use is allowed, or prohibited.

In SP
Section 3.2
General
Provisions,
pp. 26-27

4. These Land use Regulations may be amended by the same procedure as they were originally adopted. An amendment may be initiated by the Board of Supervisors, the planning Commission, a property owner, or the Sunset Beach LCP Review Board if approved by the Board of Supervisors or the planning Commission, per Zoning Code Section 7-9-156 and the State Coastal Act. Proposed amendment shall be forwarded to the Sunset Beach LCP Review Board by the Director, EMA, at least twenty-one (21) days prior to action by the Planning Commission.

In SP
Section 4.3
Specific Plan
Amendments,
pg. 55

5. Pacific Coast Highway, as it passes through the Sunset Beach Specific Plan is designated a Scenic Highway.

In SP
Section 3.2
General
Provisions,
pg. 27, with
modifications

6. All legal residential building sites in existence on the date of initial adoption by the Board of Supervisors, of the Sunset Beach LCP on March 30, 1983, shall be permitted two (2) dwelling units per site. New building sites created by a tract map, parcel map, lot consolidation, or any other legal method are also limited to two (2) dwelling units per building site, except in General Provision Number 7 below.

7. Except as noted in a. and b. below, existing legal building sites shall not be subdivided in a manner that would create more parcels than the original number.

- a. Lot 7, Block 109, Sunset Beach Tract and that portion of vacated Pacific Coast Highway (portion of AP No. 178-541-13) may be subdivided into two (2) lots. One lot shall have a minimum width of 30 feet and shall be permitted two (2) dwelling units. The second lot shall be permitted two (2) dwelling units.
- b. Lot 9, Block 108, Sunset Beach Tract and that portion of vacated Pacific Coast Highway (AP No. 178-542-15) may be subdivided into (2) approximately equally sized lots, and shall be permitted two (2) dwelling units on each lot.

Not included
in SP. These
lots are no
longer in
existence as
parcel maps
have been
recorded

8. All building sites shall comply with the provisions of Zoning Code Section 7-9-126, Building Site Requirements.
9. Due to the high groundwater conditions, only drainage that is required by Orange County Codes and Ordinance such as the Building Code, Health and Safety Code, and the ordinances of the Sunset Beach Sanitary District, shall be drained into the Sunset Beach Sanitary System lines. All other drainage, such as rain water, irrigation water and other on-site drainage shall drain to the public street or public storm drainage system. All development shall meet the provisions of this requirement.
10. Temporary special community events, such as parades, pageants, community fairs, athletic contests, carnivals, and other similar uses, may be permitted in any area in the Sunset Beach Special

In SP
Section 3.2
General
Provisions,
pp. 26-27

- Plan and Local Coastal Plan by approval of the Director, EMA, or a Certificate of Use and Occupancy per Section 7-9-152 of the Orange County Zoning Code and other applicable permits.
11. Emergency vehicle access to the beach shall be at the ocean end of the signalized streets of Anderson, 19th Street, Broadway, 5th Street and Varied Avenue only. The center of such street ends shall be kept open and free at all times. All other side street ends opening on the beach may be developed for additional public parking. Such additional public parking development shall not extend beyond the rear (oceanward) property line of the adjacent ocean front private property.
 12. Park lands and park fees required for the development of new dwelling units shall be in compliance with all applicable regulations of the Local Park Code Section 7-9-500 et. seq. of the Orange County Codified Ordinance.
 13. Any building site abutting Pacific Coast Highway shall be required to provide a corner cut-off of seventeen (17) feet prior to the issuance of any building permits unless otherwise provided for by an approved Coastal Development Permit.
 14. Coastal Development Permits shall be processed per Sections 7-9-118 and 7-9-150 of the Orange County Zoning Code.
 15. Permitted uses within the Coastal Zone Boundary are subject to appeal to the California Coastal Commission per Section 7-9-118.6(g) of the zoning Code on the following basis:
 - a. Principal permitted uses only if within the appeal jurisdiction area as shown on the Post LCP Certification Map (Figure 14), page IV-24a.
 - b. Other permitted uses within all areas within the Coastal Zone.
 16. Except for a variance, a Coastal Development Permit may be filed in lieu of any other discretionary permit.
 17. All discretionary permits shall be processed per Section 7-9-150 of the Orange County Zoning Code. The Director, EMA shall forward all discretionary permit applications to the Sunset Beach LCP Review Board for review and comment at least twenty-one (21) calendar days prior to final action by the approving authority. Any changes to floor plans or site plans associated with the discretionary permit shall be resubmitted to the Review Board prior to final action by the County.
 18. Certificates of Use and Occupancy shall be processed per Section 7-9-152 of the Orange County Zoning Code. A copy of all Certificates of Use and Occupancy issued shall be sent by the Director, EMA to the Sunset Beach LCP Review Board for their records.

In SP
Section 3.2
General
Provisions,
pp. 27-28

In SP
Section 4.2
Methods and
Procedures,
pp. 53-54

19. Certificates of Use and Occupancy Permits and encroachment permits for any use of public properties shall be forwarded to the LCP Board for their information within three (3) days of issuance.
20. Buildings in which a change of use results in increased off-street parking requirement shall require a new Certificate of Use and Occupancy.
21. All lawful nonconforming uses and structures are subject to Section 7-9-151 Nonconforming Uses of the Orange County Zoning Code except as otherwise noted in these regulations.
22. Required street and highway dedication and improvements per Section 7-9-125.1 of the Orange County Zoning Code shall not be applicable to the SBSP/LCP area except for those properties abutting Pacific Coast Highway.

In SP
Section 4.2
Methods and
Procedures,
pg. 54

In SP
Section 3.2
Circulation,
pg. 28

D. DISTRICT REGULATIONS

1. SUNSET BEACH RESIDENTIAL (SBR)

a. Purpose and Intent

The Sunset Beach Residential (SBR) District is intended to provide the regulations which will permit the establishment and maintenance of high density residential neighborhoods. It is intended that each residential structure be independent from adjoining property by setbacks. Only those uses which are complementary to and can exist in harmony with the residential uses are permitted.

b. Principal Permitted Uses

The following principal permitted uses are permitted subject to the approval of a Coastal Development Permit by the Planning Commission.

- 1) Duplex dwellings
- 2) Single-family dwellings and single family mobile homes per Zoning Code Section 7-9-149.
- 3) Community care facilities serving twelve (12) persons or less per Zoning code Section 7-9-141.
- 4) Residential condominium, stock cooperative, and community apartment projects.
- 5) Residential Condominium conversions per Zoning Code Section 7-9-147 except no Use Permit will be required.
- 6) Additions to lawful nonconforming residential uses. SEC. 7-9-151(c) of the Orange County Zoning Code is not applicable to additions. Additions must comply with all applicable development standards.

In SP
Section 3.3
Regulations,
pg. 30

c. Other Permitted Uses

Other permitted uses subject to a Coastal Development Permit by the Planning Commission. Coastal development permits for the following are subject to appeal to the California Coastal commission pursuant to Section 7-9-118.6(g) of the Orange County Zoning Code.

- 1) Community recreation center.
- 2) Community service center.
- 3) Community facility.
- 4) Fire stations.
- 5) Parks and playgrounds (non-commercial).
- 6) Public service facilities.

d. Accessory Uses Permitted.

Accessory uses and structures are permitted when customarily associated with and subordinate to a permitted principal use on the same building site.

- 1) Fences and walls per Zoning Code Section 7-9-137 except as modified by the special provisions set out in D.1.f.3)c) (Building sites between Pacific Coast Highway and the Sunset Channel and those building sites fronting on Park Avenue) and D.1.f.3)d) (Building sites between Bay View Drive and Sunset Channel) of the Site Development Standards in these Residential Regulations.
- 2) Garages and/or carports per Section E.
- 3) Home occupations per Zoning Code Section 7-9-146.6
- 4) Noncommercial keeping of pets and animals per Zoning Code Section 7-9-146.3.
- 5) Pools and spas per Zoning Code Section 7-9-137, except due to the limited sewerage capacity, no such swimming pool or spa of over 1000 gallons shall be connected to, or drained into, the public sewer system.
- 6) Signs per Section F, except business signs which are prohibited.
- 7) Tennis courts.
- 8) Detached accessory buildings in compliance with the setbacks for main buildings.

In SP
Section 3.3
Regulations,
pp. 30-31

Note:
Section on
standards for
accessory
uses added
to SP as
Section
3.3.7,
pp. 50-51
and Section
on fences
and walls
added as
Section
3.3.5,
pp. 46-47.
Language
for the
Sections is
from the
County of
Orange
Zoning
Code, which
is currently
applicable to
Sunset
Beach.

e. Prohibited Uses.

- 1) All uses not permitted above are prohibited.
- 2) The storage of vehicles, equipment or products related to a commercial activity.
- 3) Community care facilities serving more than twelve (12) persons.

f. Site Development Standards

The establishment, operation and maintenance of the uses permitted by these district regulations shall be in compliance with the following:

- 1) **Building Height** - Three stories and not more than thirty-five (35) feet maximum as measured from the centerline of the frontage street for structures in the FP-3 District or the minimum bottom elevation (see 2 below) for structures outside the FP-3 District. Such height and story calculations shall include mezzanines, patio roof covers, and attics with ceiling heights over six (6) feet.
- 2) **Bottom elevation** - for structures outside the FP-3 District, the finished floor elevation for new construction should be a minimum of two (2) feet above the centerline of the frontage street or two (2) feet above the highest perimeter curb elevation of the property, whichever is greater, unless the applicant can prove, using detailed hydrologic and hydraulic calculation, that the proposed finished floor elevation is protected from being flooded from a 100-year flood in a manner meeting the approval of the Manager, EMA/Subdivision.

Those building sites abutting the Sunset Beach Waterways District, Bay View Drive, or Park Avenue shall have the additional requirement that the finished floor elevation also be set at a minimum of two (2) feet above the bulkhead elevation.

3) Setbacks.

Front setbacks shall be measured from the ultimate right-of-way line.

In SP
Section 3.3
Regulations,
pp. 31-32